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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

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IN REPLY REFER TO:

CC 92-77

September 16, 1994

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SEP 22 1994

The Honorable E (Kika) de la Garza  
U.S. House of Representatives  
1401 Longorth House Office Building  
Washington, D.C. 20515

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

Dear Congressman de la Garza:

Thank you for your letter on behalf of Leroy Moody, Sheriff, San Patricio County, regarding the Commission's Billed Party Preference (BPP) proceeding. On May 19, 1994, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. I have enclosed a copy of the Further Notice and press release accompanying it for your information.

The Further Notice sets forth a detailed cost/benefit analysis of BPP. This analysis indicates, based on the available data, that the benefits of BPP to consumers would exceed its costs. The Further Notice seeks comment on this analysis and asks interested parties to supplement the record concerning the costs and benefits of BPP. The Further Notice also invites parties to recommend alternatives to BPP that could produce many of the same benefits at a lower cost.

The Further Notice also explicitly seeks comment on whether correctional facility telephones should be exempt if BPP is adopted. Specifically, the Further Notice seeks additional information on the effectiveness and costs of controlling fraud originating on inmate lines with or without BPP. The Further Notice also seeks comment on a proposal to exempt prison telephones from BPP if the operator service provider adheres to rate ceilings for inmate calling services.

BPP would not preclude prison officials from blocking or limiting inmate calls to specific telephone numbers in order to prevent threatening and harassing calls. Moreover, BPP would not affect the ability of prison officials to limit inmates to collect calling or to program telephone equipment at the prison site to block certain numbers.

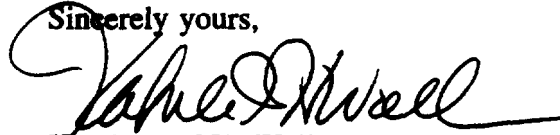
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The Honorable E (Kika) de la Garza  
Page 2

Thank you for your interest in this proceeding. I can assure you that the Commission will carefully examine all of the comments submitted in response to the Further Notice, including additional empirical data regarding the costs and benefits of implementing BPP and the impact of BPP on telephone service from correctional facilities.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Kathleen M.H. Wallman". The signature is fluid and cursive, with a large initial "K" and a long, sweeping underline.

Kathleen M.H. Wallman  
Chief  
Common Carrier Bureau

Enclosures

KIKA DE LA GARZA  
15TH DISTRICT, TEXAS

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-4315**

August 11, 1994

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Ms Judy Harris  
Director  
Office of Legislative Affairs  
Federal Communications Commission  
1919 M Street, N W  
Washington, D.C. 20554

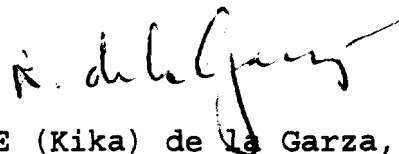
Dear Ms Harris

Re: Leroy Moody  
San Patricio County Sheriff  
Sinton, TX 78387

The attached is being submitted to you for whatever consideration you can give the situation commensurate with your policies.

I'll look forward to hearing from you -- and with my always high regards, I am

Sincerely,



E (Kika) de la Garza, M C

bet  
Enclosures



LEROY MOODY  
SHERIFF  
Phone 364-2251  
Area Code 512  
Post Office Box 1382  
SINTON, TX 78387-1382

COPY

July 28, 1994

Federal Communications Commission  
FCC Secretary's Office  
1919 M Street, NW Room 222  
Washington, D.C. 20554

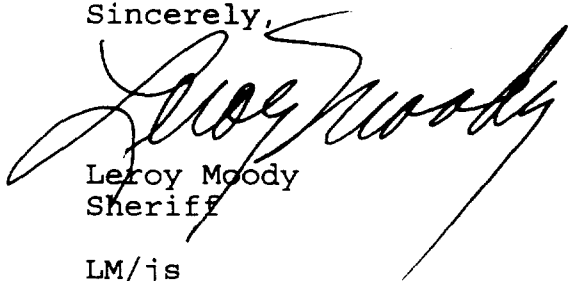
Dear Sirs:

In reference to the purposed Billed Party Preference for 0+ interLATA calls, the San Patricio County Sheriff's Department is opposed to this change due to the following facts:

1. Lose blocking control of phones to prevent harassment of victims and witnesses.
2. Loss of revenue for counties and an increase in cost for the inmate's family
3. Loss of control of phone use and call duration.

There are other questions about this change and concerns about who will pay for this. We oppose the BPP and encourage the FCC to do the same.

Sincerely,



Leroy Moody  
Sheriff

LM/js

cc: Vice-President Al Gore  
The Honorable Kika de la Garza  
The Honorable Phil Gramm